

LI YING HUA, LI ZHENG ZHE,  
and XU JING JI,  
  
Plaintiff,  
  
vs.  
  
JUNG JIN CORPORATION, a CNMI corporation,  
ASIA ENTERPRISES INC., a CNMI corporation,  
PARK HWA SUN and KIM HANG KWON,  
  
Defendants.

**March 9, 2006**

APPEARANCES:

1. MARK B. HANSON, ESQ.  
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Beach Road, Garapan  
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Saipan, Mariana Islands 96950

Attorney for Plaintiffs

2. MR. KIM KI SUNG  
PMB 234, P.O. Box 10,001  
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Deponent

3. MR. ALEX J. TAE  
P.O. Box 502002 CK  
Saipan, Mariana Islands 96950

Official Translator (Korean)

STIPULATIONS: None.

1 KIM KI SUNG,

2 having first been duly sworn by the Notary Public Mark B. Hanson, was  
3 examined and testified as follows:

4 EXAMINATION BY MR. HANSON:

5 MR. HANSON: Good morning.

6 TRANSLATOR: Morning

7 MR. HANSON: This is -- this is the case of Li Ying Hua, Li Zheng Zhe and Xu  
8 Jing Ji verses Jung Jin Corporation, Asia Enterprises Inc., Park Hwa Sun and Kim Hang  
9 Kwon; the civil action number 05-0019, currently pending in the United States District  
10 Court for the Northern Mariana Islands.

11 This is March 9th, 2006; the time is 10:30 a.m. We're at the law offices of Mark  
12 Hanson in the conference room. I am Mark Hanson. This is the time schedule for the  
13 deposition of Mr. Kim Sung Eun pursuant to a subpoena issued to Mr. Kim on February  
14 2nd, 2006. Present today is Mr. Kim Sung Eun, he's not apparently represented by  
15 counsel, we'll discuss that in a minute. Translator for the deposition is Mr. Alex Tae.  
16 This deposition is being digitally recorded and also video taped for the record.

17 Q. Good morning, Mr. Kim. The first thing I want to do -- my name is Mark  
18 Hanson and I'm the attorney for the plaintiffs in this case and this lawsuit is part of the  
19 subpoena that you got. The first thing we need to do is swear you in. I'm a notary public.  
20 so I can also do that, but I'm going to ask you to raise your right hand for me please.

21 And do you swear to tell the truth, the whole truth and nothing but the truth in this  
22 deposition here today.

23 A. Yes.

1 Q. Okay. Now, you understand you're under oath so if you don't tell the  
2 truth in this deposition that you could later be prosecuted for lying --- for perjury.

3 A. Yeah.

4 Q. Okay. Can you state your full name for the record and  
5 spell it please.

6 A. (in English) K-I-M K-I-S-U-N.

7 Q. Okay. Now, that's interesting. K-I-M --

8 A. K-I --

9 Q. K-I --

10 A. S-U-N-G

11 Q. S-U-N-G.

12 A. (in English) G.

13 Q. So you're Mr. Kim Ki Sung?

14 A. (in English) Yes.

15 Q. Where is Mr. Kim Sung Eun?

16 A. (in English) Me wife.

17 Q. That's your wife?

18 A. (in English) Yes.

19 Q. Okay. All right. Now, I need to let you know that we issued a subpoena  
20 for Miss -- Miss Kim, your wife, okay, and there is no subpoena for you to testify here  
21 today. I don't have a problem with taking your deposition if you don't have a problem  
22 doing the deposition.

23 A. Yeah.

1 Q. Okay?

2 A. Okay.

3 Q. All right. Now -- okay. So for the record this is Mr. Kim Ki Sung not  
4 Miss Kim Sung Eun. The subpoena was issued to Miss Kim Sung Eun the wife of Mr.  
5 Kim Ki Sung; is that correct?

6 A. Yes.

7 Q. But Mr. Kim Ki Sung is offering to do the deposition today without a  
8 subpoena, voluntarily?

9 A. Yes.

10 Q. Okay. Now, I'm going to ask you some preliminary questions, Mr. Kim.  
11 First of all, are you comfortable right now, do you need anything to drink, any coffee?

12 A. (in English) No, no problem.

13 Q. Okay. If at any time you need to take a break this morning this morning  
14 then you let me know and we'll stop and take a break.

15 A. (in English) Yeah, yeah, sure, sure.

16 Q. Now, have you ever had your deposition taken before?

17 A. (in English) No.

18 Q. No whatsoever. All right. Do you understand what happens in a  
19 deposition?

20 A. (in English) Yes.

21 Q. Okay. Basically I'm just going to ask you questions and then you have to  
22 respond truthfully to the questions. And if any time there's something -- if at any time  
23 there's something that you don't understand then I don't want you to answer the question.

1 A. (in English) Yeah.

2 Q. Because it doesn't help either of us if you answer a question that you  
3 didn't understand. So if there's something that's not clear then you need to ask me to  
4 clarify it. Ask -- say I don't understand can you please ask it again or tell me exactly  
5 what you mean. Okay?

6 A. (in English) Yeah.

7 Q. All right. I see you're not here with an attorney today.

8 A. (in English) No.

9 Q. You don't want to have an attorney present with you?

10 A. No.

11 Q. Okay. You don't think you need an attorney?

12 A. (in English) No.

13 Q. Oh okay. How long -- are you presently living in -- in Saipan?

14 A. Yes.

15 Q. How long have you lived in Saipan?

16 A. Three years and three months.

17 Q. Where did you live before you came to Saipan?

18 A. Seoul.

19 Q. What did you do before you came to Saipan, what was your job?

20 A. I was a marketing manager at a company.

21 Q. And when you came to Saipan -- right now does your wife, Mrs. Kim  
22 Sung Eun, does she live here with you?

23 A. Yes, my whole family.

1 Q. Okay. So you have children here also?

2 A. Yes, they go to school here.

3 Q. Did you -- did you come with your parents; do either of you or wife's  
4 parents live here with you?

5 A. No, only my family.

6 Q. Okay. So not brothers and sisters either?

7 A. No, just a friend. I knew a friend here.

8 Q. Okay. Who's the friend that you knew here?

9 A. (in English) Golden Bird Corporation -- Golden Bird Corporation owner.  
10 Golden Bird Corporation owner.

11 A. Golden Bird --

12 Q. Golden Bird Corporation -- Mr. Kim --

13 A. Mr. Lee.

14 Q. Mr. Lee.

15 A. Yeah.

16 Q. Okay. All right. Okay. What -- and you knew Mr. Lee -- he's the one  
17 who told you about Saipan or had you heard about the business opportunities -- strike  
18 that. How was it that you came to come to Saipan?

19 A. Because of my friend.

20 Q. And he -- he told you there were business opportunities here?

21 A. Yes.

22 Q. Did you -- did you come for work for Mr. Lee or did you come to open up  
23 your own business?

1 A. To do my own business.

2 Q. What business -- when you came here three years and three months ago  
3 did you start up a business at that time?

4 A. Yes.

5 Q. Okay. Three years and three months ago, what is that, that's December of  
6 200—

7 A. (in English) November.

8 Q. November 2003; right?

9 A. (in English) 2002.

10 Q. 2002. Yeah, all right. So in November 2002 you started up a business.

11 A. Not necessarily. When I first came here I invested in my friend's  
12 company for five or six months and then started my own poker business.

13 Q. Okay. So your friend's company was Golden Bird; right?

14 A. (in English) Golden Bird Corporation.

15 Q. When you say you —

16 A. Golden Bird Corporation.

17 Q. When you say you invested in Golden Bird Corporation what do you  
18 mean?

19 A. I was -- my friend operated a shopping center, it's called Managaha  
20 Shopping Center and I had invested my money on that company and -- and in return he's  
21 given me fifty percent of my investment.

22 Q. Is this the same friend, Mr. Lee from Golden Bird?

23 A. Yes.

1 Q. So you and Mr. Lee opened up Managaha Shopping Center after you came  
2 or was it already open before you came?

3 A. It was -- it was an existing business, I just invested a little more on it.

4 Q. Okay. Did Mr. Lee own the business before you came?

5 A. Yes.

6 Q. And you invested more into his business in the Managaha Shopping  
7 Center?

8 A. Yes. When I first came down here I needed to make a living and I didn't  
9 want to take the risk of doing anything when I don't really know about the place. So I  
10 invested my money in the -- in the company and then got a monthly income a month -- a  
11 certain amount of money on a monthly basis for about five months and after five months  
12 I started doing my own business.

13 Q. Okay. How much money was it that you invested over that five month  
14 period with Mr. Lee?

15 A. Approximately 150,000.

16 Q. Into this Managaha Shopping Center?

17 A. Yes. Well, basically no, I just gave Mr. Lee the money to run the business  
18 and without any agreements or contracts and we agreed to share the profits in half.

19 Q. Okay. You didn't have any written agreement with Mr. Lee about that  
20 arrangement?

21 A. No.

22 Q. Did you actually -- did you actually get 50 percent of the profits from  
23 Managaha Shopping Center over that five months?

1 A. We share exactly half of what everything -- pure profit.

2 Q. You guys have -- you guys shared that, you received some income from  
3 this investment?

4 A. Yes. It's been so long, I don't clearly remember the amount.

5 Q. So you're not -- are you still receiving some income from that?

6 A. No it's -- no and I also got my principle amount back.

7 Q. So Mr. Lee gave you back your 150,000?

8 A. Yes.

9 Q. Is that in addition to the profits that you were splitting 50/50?

10 A. Yes.

11 MR. HANSON: I just note for the record because I don't think I did this at the  
12 beginning, but nobody from the defendants are present in the deposition today, there's  
13 only the three of us and the attorney for the defendants, Mr. Steve Nutting, withdrew last  
14 week with court approval so he's also not here today. You can explain that to him, I'm  
15 just doing that for the record.

16 Q. So back to this investment. You were receiving fifty percent of the pure  
17 net profits from the -- your investment with Mr. Lee; when did that end?

18 A. It only lasted for five months, only because from -- because he's a good  
19 friend of mine and only from a goodwill he needed -- he wanted me to make a living  
20 while I was -- while I get a chance to get to know the place.

21 Q. Okay. So in about April 2003 is when you stopped your partnership with  
22 Mr. Lee?

23 A. Around February.

1 Q. Around February, 2003?

2 A. Yes.

3 Q. When -- when did you get the \$150,000 initial investment back?

4 A. In partial payments, in number of different occasions.

5 Q. When was the last time you received money from Mr. Lee for any -- for  
6 any reason?

7 A. (in English) 2003.

8 A. 2003, February.

9 Q. That's the last time he gave you any money whatsoever?

10 A. Yes.

11 Q. So this \$150,000 you put that in November 2002; right?

12 A. Yes. It's been way too long, it all ended in a good way and I can't clearly  
13 remember.

14 Q. But you remember that you got back your 150,000; right?

15 A. Yes.

16 Q. You're sure about that?

17 A. Yes.

18 Q. Okay. When you put the 150,000 in, you put that in November of 2002; is  
19 that right?

20 A. No, the first -- as far as I can remember, it first came out from my pocket  
21 in September 2002 from Korea.

22 Q. Okay. And so you -- you sent that to Mr. Lee as an advance before you  
23 came to Saipan to invest?

1 A. I brought it here.

2 Q. All right, but it was before you actually moved to Saipan?

3 A. It wasn't given to him in -- in -- at once. I came down -- I came up here a  
4 number of times and it was given to him in a number of different occasions.

5 Q. When was your first trip to Saipan, ever?

6 A. Year 2001.

7 Q. Is that when you started bringing money to Saipan for Mr. Lee?

8 A. I started bringing from here 2002.

9 Q. Okay. And you would bring -- you would do cash or how did you bring  
10 the money to Saipan?

11 A. Travelers checks, some -- some were given to him directly in Korea.

12 Q. So Mr. Kim -- I mean Mr. Lee would also come up and see you in Korea  
13 and get money from you?

14 A. Yes. Yes he was a -- a businessman and he would come to Korea back  
15 and forth often.

16 Q. Okay. But by 200-- by February 2003, Mr. Lee had paid back all of the  
17 \$150,000 that you had put in to the business?

18 A. Yes. It's concluded. He is a good friend of mine. It wasn't actually a  
19 partnership business. It just started from a goodwill, good thoughts that my friend was  
20 helping me out for looking after me for a certain period of time until I get settled here.  
21 But I got my money, it's all good.

22 Q. Okay. All the times you were giving him money did you guys keep  
23 records of that money that you gave him?

1 A. No. He's -- we've been friends for over 20 years, ever since our college  
2 years.

3 Q. So he didn't -- he didn't give you a receipt or you didn't get a receipt from  
4 him every time you would give him cash or traveler's checks?

5 A. No, I don't know.

6 Q. How about when he gave you money back, he gave you your investment  
7 back, your 150,000 back, that came out little by little, right?

8 A. It came into me in number of different occasions. We such good friends  
9 we don't -- friends don't do that to each other.

10 Q. Don't do what to each other? I'm sorry I don't understand.

11 A. We just know off by our head that -- how much was given or how much  
12 I've received. We do not keep records.

13 Q. So there's no documents that we could go back and look at right now to  
14 see how much money you gave Mr. Lee and how much money he gave back to you?

15 A. (in English) I don't know.

16 A. I don't know.

17 Q. You don't know if there are any documents that would show that?

18 A. There are no documents.

19 Q. Okay. Now, in February 2003 you finished with Mr. Lee and you opened  
20 up your own business; is that right?

21 A. Yes.

22 Q. Okay. What business was it, what was the name of that business? Did it  
23 have a name?

1 A. (in English) Fun and Win Poker.

2 Q. Can you spell for me?

3 A. (in English) F-U-N and W-I-N --

4 Q. Poker.

5 A. (in English) Yeah.

6 Q. Okay. Fun and Win Poker.

7 A. (in English) Yes.

8 Q. And that was the name of the poker place?

9 A. Yes.

10 Q. Was that the name of your business or does your business have a different  
11 name?

12 A. (in English) KSK Corporation.

13 A. KSK Corporation.

14 Q. Okay. So KSK Corporation was doing business as Fun and Win Poker; is  
15 that right?

16 A. Yes.

17 Q. And KS -- KSK, does that stand for Ki Sung Kim?

18 A. Yes.

19 Q. Yes. All right. So it's taken after your name?

20 A. Yes.

21 Q. Okay. When -- KSK is a corporation so you filed papers with the CNMI  
22 government to make the business?

23 A. Yes.

1 Q. Okay. When -- when did you make those papers to create this company  
2 KSK Corporation?

3 A. Probably by February year 2003 because I open my poker parlor in March,  
4 the following month.

5 Q. Okay. Did you have somebody help you make those papers?

6 A. Business agent.

7 Q. Okay. What -- what's the name of the business agent?

8 A. DK Office.

9 Q. Where is that located?

10 A. Underneath the immigration.

11 Q. DK, is that D or B?

12 A. (in English) D. A, B, C, DK.

13 Q. Oh okay. Is that that Vietnamese guy or is he Korean?

14 TRANSLATOR: Korean guy. He looks like Vietnamese.

15 Q. But isn't -- it's the one where they have -- also have the remittance and  
16 copy center in the immigration downstairs.

17 A. Downstairs, yes.

18 Q. Ask him.

19 A. It's right by the main entrance.

20 Q. So like if you -- you come in the main entrance, is it the one over there on  
21 the -- on the left hand side? Where is it when you come in the main entrance?

22 A. It's on the right side of the entrance.

23 Q. Okay. The right side of the entrance, you have -- you come in and there's

1 like a Bank of Guam, right, it's next door to Bank of Guam.

2 A. Right. There's a restaurant -- if you see -- if you face right and right next  
3 to it there is a bank, it's right next to the bank.

4 Q. So it's right next to Bank of Guam on the right as you come inside the  
5 doors at the -- Efetna Building in San Antonio? Is that right?

6 A. Yes and he . . . . .

7 TRANSLATOR: . . . and Mr. Kim just asked me whether I know the location.

8 Q. Never mind. It's of minor importance. Okay. Let's talk a little bit about  
9 KSK. Who -- when you -- when you made the -- the formation documents, who was --  
10 who was the owner of KSK?

11 A. My wife.

12 Q. Okay. And your wife is Kim Sung Eun?

13 A. Yes.

14 Q. Can you do me a favor and spell your wife's name for me please.

15 A. (in English) K-I-M S-U-N-G E-U-N.

16 Q. Okay. Thank you. She's a shareholder?

17 A. Yes.

18 Q. Does she own all the shares of the company?

19 A. No. My wife and mother-in-law.

20 Q. What's your mother-in-law's name?

21 A. (in English) K-I-M O-K-J-A.

22 A. Kim Okja.

23 A. (in English) Yeah.

1 Q. And she owns some stock also?

2 A. Yes.

3 Q. How much stock do you know -- how much stock Kim Sung Eun, your  
4 wife, owns?

5 A. About \$180,000 worth, which is 90 percent.

6 Q. 90 percent. And then --

7 A. This -- has got nothing to do with me, why are you asking me these kind  
8 of questions?

9 Q. I'm just trying to find out about KSK Corporation.

10 A. I don't know KSK Corporation, I don't know.

11 Q. Well, you said you started a business, right?

12 A. Yes.

13 Q. And the business was Fun and Win Poker, right?

14 A. I don't see where we're getting at right here. I don't see why you're  
15 asking me about an innocent businessman, which is my business plus my personal  
16 relationship with my friend.

17 Q. I'm just trying to understand, that's all. Okay?

18 A. Apparently there's a check attached --

19 Q. Just translate what he said.

20 A. Okay. I didn't do anything wrong. I don't see why I need to be here.  
21 Once again, I didn't do anything wrong.

22 Q. Okay. I'm not accusing you of anything, Mr. Kim. To be straight, to be --  
23 just so you understand.

1 A. (in English) No, I know.

2 Q. Okay. This is doesn't have anything to do with me accusing you of  
3 anything or anybody else accusing you of anything right now. I represent three workers,  
4 former workers of -- of Mrs. Park Hwa Sun and Mr. Kim Hang Kwon. Okay? That's my  
5 clients. I think you actually met two of them before; right?

6 A. Yes.

7 Q. Okay. They have a case against Mrs. Park and Mr. Kim and their two  
8 companies Jung Jin Corporation and Asia Enterprises. They're trying to get the wages,  
9 the salaries that's unpaid to them.

10 A. I saw it in the paper.

11 Q. Okay.

12 A. Can you repeat your?

13 Q. Yeah. They're trying to get their unpaid wages from -- from these people.  
14 Okay? They're saying that -- they -- they don't deny that the -- my clients' are owed this  
15 money for their wages. But what I—

16 A. Unpaid salary, no that's not what I heard. What I heard was Asia  
17 Enterprise was closed down because -- due to the lack of business.

18 Q. Okay. That's neither here nor there. What I'm saying is I'm just trying to  
19 -- my client's aren't making any claims that you owe them wages. They don't have any  
20 claims against you that you owe them any money; do you understand?

21 A. Can you specify that, clarify that please.

22 Q. My clients, Mr. Li Zheng Zhe, Miss Xu Jing Ji and Miss Li Ying Hua,  
23 those are my clients. They're trying -- they are trying to get the money from Mr. Kim,

1 Miss Park and their businesses, not from you.

2 A. I was quite shocked because according to the paper there was unpaid  
3 salary mentioned, and from what I heard from other people it was a different story. I was  
4 told that all the wages have been paid.

5 A. (in English) I don't know.

6 A. It doesn't seem to make sense for the employees to work for months  
7 without getting paid.

8 A. (in English) Problem, big problem, I think. Why is salary no pay? Salary  
9 no pay, working stop. Working (indiscernibl) . . . close. Finish. Me, I think.

10 Q. Okay. You say you saw -- you saw something about this case in the  
11 newspaper; is that right?

12 A. I glanced at it and people told me about it.

13 Q. Okay. When did you see it in the newspaper?

14 A. It's been -- it's been a long time -- number of -- several months.

15 Q. How many months? Six months ago?

16 A. I don't clearly remember -- I can't clearly remember. All I -- I saw it from  
17 the paper.

18 Q. What did you see in the newspaper?

19 A. That the person had sex with the person and unpaid salary.

20 Q. Okay. And was that in -- when you saw it in the newspaper -- I'm just  
21 trying to figure out when about, I don't need exactly, but I'm just trying to figure out  
22 about when?

23 A. Number of -- all I know is it's been months. It's been months back, I

1 didn't even know they were involved in a lawsuit. I only heard people were saying about  
2 it.

3 Q. When you first saw it in the news -- when you first heard about the case,  
4 was that before or after Christmas? Let's just use Christmas as a line. Before or after  
5 Christmas?

6 A. I'm not too sure but I'm thinking it might have been after Christmas.

7 Q. Okay. Was it in December then of 2005 or was it after December, some  
8 time in this year, 2006?

9 A. I'm thinking it's year 2005.

10 Q. Mid 2005 -- you can't help me out with any time? Has it been -- how  
11 many months ago?

12 A. Or maybe it could have been around the summer time, around August or  
13 September.

14 Q. Okay. But you can't remember it clearly -- clearer than that.

15 A. I did not pay attention to it.

16 Q. You say that you heard from people about this case also, other than just  
17 reading it in the newspaper.

18 A. Yes.

19 Q. Who told you -- who did you hear about this case from?

20 A. People around me.

21 Q. Who? Do they have names?

22 A. I don't know.

23 Q. You don't -- you know that you heard from people but you don't know

1 who those people are?

2 A. No worry, really, we never had a -- I never had a discussion about that  
3 matter with anybody, people were just talking about it and I just heard about it but not  
4 paying a full attention

5 Q. What did -- well, you heard -- for example, you just told me you heard that  
6 -- that these people were complaining about salaries but that they were really -- they got  
7 all of their salaries so they're not telling the truth; did you hear that from somebody?

8 A. This is only my personal opinion.

9 Q. What's your personal opinion? Which one is your personal opinion?

10 A. As an owner of a business, I've experienced the employees wouldn't do  
11 anything without receiving -- receiving salaries -- salaries for months. That's -- that is  
12 my personal opinion.

13 Q. Okay. Let's talk about that. Are you running a business right now?

14 A. Yes.

15 Q. Do you have employees in your business that you're running right now?

16 A. Yes.

17 Q. Now, with your employees, do you pay them an hourly wage or do you  
18 pay them a monthly salary or do you -- some other -- something different?

19 A. 3.05 per hour.

20 Q. And -- and so you -- you -- they keep track of their time every two weeks  
21 you pay them 3.05 per hour?

22 A. Yes plus overtime.

23 Q. Plus overtime. Plus overtime; is that right?

1 A. (in English) Yes.

2 Q. So you don't have employees just getting -- receiving a monthly salary for  
3 their work?

4 A. No.

5 Q. Okay. You -- you do have a business right now though?

6 A. Yes.

7 Q. What's the name of your business right now?

8 A. KSK Corporation.

9 Q. The name of your business is KSK Corporation?

10 A. Yes.

11 Q. What -- what business is KSK Corporation doing right now?

12 A. Poker parlor and a laundrymat.

13 Q. What's the name of the poker parlor?

14 A. (in English) S-H-A-N-Y.

15 Q. Shany.

16 A. (in English) Yeah.

17 Q. Shany Poker?

18 A. (in English) Shany Two Poker.

19 Q. Shany Two Poker. What else?

20 A. (in English) Top Poker. T-O-P.

21 Q. Top.

22 A. (in English) Yeah.

23 Q. T-O-P Poker?

1 A. Yeah. Fun and Win.

2 Q. Fun and Win Poker. Anything else?

3 A. And a laundrymat.

4 Q. What's the name of the laundrymat?

5 A. (in English) Shany Laundry.

6 Q. Shiny?

7 A. No. Shany.

8 A. (in English) Shany.

9 Q. Same S-H-A-N-Y?

10 A. (in English) Yeah.

11 Q. What is Shany? Is that the name of one of your children or something?

12 A. It's the name of the company that I was working for in Korea.

13 Q. And -- and does KSK Corporation is -- have any partners in any of these  
14 poker places or the laundry?

15 A. No -- oh, Top Poker.

16 Q. Okay. Top Poker has a partner. Who's the partner?

17 A. My friend's wife.

18 Q. What's the name of your friend's wife?

19 A. (in English) Mrs. Lee.

20 Q. Oh Mrs. --

21 A. (in English) Mrs. Lee.

22 Q. So Mr. Golden-- the Golden Bird guy's wife.

23 A. (in English) Yeah, the wife.

1 Q. What's the -- what's her first name?

2 A. I don't know her name. About to close one down.

3 Q. Which one are you going to close?

4 A. (in English) Fun and Win.

5 Q. Fun and Win?

6 A. (in English) Yeah.

7 Q. Where is Fun and Win located?

8 A. In San Jose.

9 Q. Where in San Jose?

10 A. Next to Toyota.

11 Q. On that side of the street?

12 A. Yes, on the same side of the street.

13 A. (in English) Maybe business very slow down, close.

14 Q. Okay. What about -- what about Shany Poker, where is that located?

15 A. Shopping center.

16 Q. How long have you owned Shanty -- or Shany Poker?

17 A. Around two to two and a half years.

18 Q. Did you buy the poker place from somebody or did you start it up by

19 yourself?

20 A. I took over from somebody.

21 Q. Took over. Who did you take it over from?

22 A. What's the point of you asking me about my corporation, my business?

23 As you said earlier, I have nothing to do with this.

1 A. (in English) Why make me corporation touchy? I make problem no. No.

2 No touchy.

3 A. Why is my -- my own business brought up here? All I did was I -- I lend

4 some money to him.

5 Q. Lent some money to who?

6 A. Jung Jing Corporation, Mrs. Park. I'm in trouble because I can't get my

7 money back.

8 Q. Okay. When did you loan Mrs. Park money?

9 A. \$60,000 in year 2004, December 1st.

10 Q. Can I have a copy of that?

11 A. (in English) No touch. No touch.

12 Q. That's subpoenaed under this, you understand? You have to give me a  
13 copy of that because that's under the subpoena right there.

14 A. (in English) Copy okay.

15 Q. Can you -- I can copy this, huh?

16 A. (in English) Yeah.

17 Q. I'm going to go copy, all right? I'll be right back. I'm just going to leave  
18 that running, I'm just going to step right out by the door, I'll leave it open.

19 MR. HANSON: My secretary is going to make copies while we talk some more.

20 Q. Okay. While she's doing that, I want to talk about -- and we're going to  
21 talk about Mrs. Park and the money that you loaned to Mrs. Park and what happened with  
22 Mrs. Park and Jung Jin. We're going to talk about that. But before that I just want to get  
23 an understanding of your business so I see how it ties into the loans that you made to

1 Mrs. Park and what your business is now.

2 Q. Don't let him talk too much because you have to translate. You can say  
3 more just—

4 A. His corporation and my corporation, we have nothing in -- we have no  
5 business relationship. It was a personal relationship between myself and Mr. Kim. And  
6 from a month before I got this -- this amount -- this money Mr. Kim has been whining  
7 about how -- how much trouble he is in and as soon as I got this I lend it -- loan to Mr.  
8 Kim.

9 Q. Okay. I'm going to -- I'm going to mark what I just had copied that Mr.  
10 Kim gave me as Exhibit A so we can talk about this document. Now, you just said --  
11 when you said Mr. Kim was complaining -- Mr. Kim now, right, not Mrs. Park but Mr.  
12 Kim?

13 A. (in English) Mrs. Park told me. Mrs. Park.

14 A. Mrs. Park.

15 Q. But why did you say Mr. Kim?

16 A. He's -- Mr. Kim's mentioned it to me a number of times, Mrs. Park also  
17 mentioned it to me a number of times but I loan it to -- lend my money to Mrs. Park.

18 Q. Well, you said you had a personal relationship -- you had no business  
19 relationship with any of them; is that right?

20 A. No, you're right. I have no business relationship with either of them but in  
21 year 2004 around December Mr. Kim asked me to invest or put half of -- of a poker  
22 parlor that he was about to open and we agreed to share the profits in half but that didn't  
23 work out and it only lasted about three months and closed down and ended the business

1 relationship.

2 Q. What was the name of that business, that poker parlor?

3 A. (in English) (indiscernible).

4 Q. Daora?

5 A. (in English) Ah, Daora, yes. Daora, yeah, sure.

6 Q. Okay. That was only like three months?

7 A. Yes.

8 Q. And that was with you and Mr. Kim; is that right?

9 A. There was no formal documents that we were in a partnership, it was all  
10 done in -- done verbally. We just chipped in half and share everything half.

11 Q. With that Daora, that poker -- that partnership is that all finished?

12 A. Yes.

13 Q. After that three months finished, did Mr. -- Mr. Kim or anybody owe you  
14 any money from that partnership?

15 A. Yes. \$26,000.

16 Q. No, no, no. Let's back up. Let's talk about that for a minute. You and  
17 Mr. Kim -- Kim Hang Kwon, right, you and Mr. Kim opened a poker place, each of you  
18 puts in fifty percent; is that right?

19 A. Yes.

20 Q. Okay. The poker business runs for three months like that?

21 A. He's operated it, I -- I was not involved in the business, I only invested.  
22 We agreed to share the profits in half.

23 Q. But then the business didn't work so it closed?

1 A. Yes.

2 Q. When did it close do you know?

3 A. Either August or September last year.

4 Q. After it closed did you get your investment back?

5 A. No, I -- he -- Mr. Kim still owes me \$26,000.

6 Q. To this day Mr. Kim still owes you \$26,000?

7 A. Yes -- you should -- there should be something, a document showing that I  
8 paid the tax for him.

9 Q. You paid the tax, you paid the licensing fees?

10 A. The tax.

11 Q. What kind of tax?

12 A. Machine.

13 Q. The documents that you gave me, is that what you're saying?

14 A. (in English) Yes, yes, yes, yes.

15 Q. Is that right, the documents that you provided me pursuant to the  
16 subpoena?

17 A. Yes, twice.

18 Q. Okay. I'm going to show you what's been previously marked as -- as  
19 Bates stamp numbers 01 -- 01721 and 01722. I have copies, that's right I'm going to get  
20 the copies. All right. Okay. Can you look at those for me please? I'll mark these as  
21 Exhibit -- oh I'm sorry. Let' me see them real quick here. I'm going to mark 01721 as  
22 Exhibit B and 01722 as Exhibit C. Okay?

23 Now, can you look at those two, Exhibit B and C for me please?

1 Okay. Those are the two documents that you provided me.

2 A. Yes.

3 Q. And these two -- what is Exhibit B? What does that show?

4 A. It's a total of \$24,000 —

5 Q. Just -- wait, wait, wait, wait. Just start -- just B, first just B. What is that?

6 What is that, can you tell me what that is please?

7 A. This is a payment for four machines, since it's a quarter payment and each  
8 machine cost \$3,000 for the tax that you pay at the CNMI government and the federal  
9 government.

10 Q. Okay.

11 A. This is the month of June and Exhibit C is for the month of September.

12 Q. Okay. And you paid this -- for Exhibit B you say you're the one that paid  
13 this \$12,000?

14 A. Yes.

15 Q. You see it was paid by American Express cards?

16 A. Yes.

17 Q. Two different Amex cards, right?

18 A. Yes.

19 Q. And those are yours—

20 A. It was paid by one credit card.

21 Q. I bet he just put -- no there's two different credit cards. It has two credit  
22 card numbers.

23 A. The other one -- the other \$12,000 was for my -- for my machines and —

1 Q. Just translate what he's saying. I'll try to understand.

2 A. I invested -- we're supposed to pay tax in half because we agreed to go  
3 everything in half.

4 Q. Okay.

5 A. The total tax amount comes out to be \$24,000 my share is to pay \$12,000  
6 only, but I paid for Mr. Kim's share too. That's probably why it's not showing here --  
7 what it's not showing you is my share of the amount.

8 Q. So you -- I don't understand. The \$12,000 that's showing here, who paid  
9 that?

10 A. I did.

11 Q. But you're saying that it doesn't show your amount; I don't understand  
12 what you're saying?

13 A. These two are only the ones that I lended out -- paid for him.

14 Q. Paid for the partnership, right?

15 A. Yes, I -- I basically just lend the money to him.

16 Q. To get fifty percent of the profits; is that right?

17 A. Yes.

18 Q. Okay. I still don't understand why it shows two American Express cards.

19 And we're talking about Exhibit B here, not Exhibit C. What is your credit card number?

20 A. It's paid in two different kind -- two different cards.

21 Q. Whose cards are those?

22 A. My office girl.

23 Q. Your office -- what's your office girl's name?

1 A. (in English) Anne.

2 A. Anne.

3 Q. Anne?

4 A. (in English) Yes.

5 Q. A-N-N-E.

6 A. (in English) Yes.

7 Q. What's her last name?

8 A. (in English) I don't know.

9 A. I don't know.

10 Q. Is she an employee of yours?

11 A. My friend's employee.

12 Q. Is she your office girl or your friend's office girl?

13 A. My friend's office girl. I had a -- I also had in difficulties in circulating  
14 my money so I borrowed from her -- I borrowed her credit card but I paid it back.

15 Q. Okay. So your friend's office girl loaned you her credit card, so loaned  
16 you money, so that you could pay the license fee, the tax for the Daora Poker place that  
17 you and Mr. Kim opened?

18 A. Yes, but the money was -- the money was lended to me, not to the  
19 partnership that I have between Mr. Kim.

20 Q. Okay. Now, there's still two cards, were both cards her cards or was one  
21 card yours and one card hers or somebody else's? Whose cards?

22 A. I'm thinking that -- her own card would have exceed the limit as she might  
23 have borrowed a different card from somebody else.

1 Q. So you don't even know whose other card that is?

2 A. I don't know. She was only helping me.

3 Q. Now, can you look at Exhibit C. Who paid that one?

4 A. The same office girl.

5 Q. The office girl.

6 A. Yeah. I borrowed from her.

7 Q. Another \$12,000?

8 A. Yes.

9 Q. And you used that to pay the licensing fee for the poker place that you  
10 were partners with Mr. Kim?

11 A. Yes.

12 Q. Okay. And then the poker place lost all the money, it was no good  
13 business?

14 A. Yes.

15 Q. What happened to the poker place?

16 A. How it started Mr. Kim approached to me and told me that there's a good  
17 location for a poker parlor so I went in there -- I went to the place and looked at the place  
18 and started a business. But it was -- it was not good, we were losing money so we moved  
19 to the one next to XO Market.

20 Q. Same poker -- same poker business that moved to that location?

21 A. (in English) Lose money.

22 Q. Okay. How much money did it lose?

23 A. Total of \$30,000 to \$40,000. That's why we closed down plus that could

1 be the reason why Asia Enterprise is closed down.

2 Q. So -- I don't understand, explain to me, why after that, after the business  
3 lost this money, why did Mr. Kim owe you the money back? Why did he still owe you  
4 money back?

5 A. Okay. The \$26,000 came from -- came from here, the tax payment.  
6 Another \$2000 is just interest.

7 Q. 2000- in interest. But it -- if you -- you invested that -- that money you  
8 saw as an investment in the Daora Poker; is that right?

9 A. This from our initial investment. This -- I was paying tax for -- on behalf  
10 of Mr. Kim while we were operating. We agreed to go everything in half.

11 Q. Okay. How many poker machines did that business have?

12 A. Eight.

13 Q. Okay. And this was half of the poker machines?

14 A. Yes.

15 Q. Where are the receipts for the payments for the other half?

16 A. I should have it at home.

17 Q. Now, do you have any money -- do you have any evidence to show, any  
18 documents to show that you --

19 A. This is two different payments, one's June and one's September. As I told  
20 you earlier, I have my own payments to -- and that's all been paid for. I was only paying  
21 on behalf of Mr. Kim because for -- for -- for us, for me and Mr. Kim to run the business,  
22 if I don't pay for the other half, which is the rest of the four machines we're not going to  
23 be able to operate and operate those machines.

1 Q. Okay. So I just want to understand, that's all I'm here to do today is  
2 understand. You and Mr. Kim both have to put in \$12,000 every three months for the  
3 Daora poker machines, right?

4 A. (in English) Total payment.

5 Q. Well, Mr. Kim he can't afford to pay so you put in the money for you and  
6 you put in the money for Mr. Kim; is that right?

7 A. Yes.

8 Q. I'm right so far. But you actually didn't put the money in, you -- the  
9 office girl from your friend put the money in and then you paid the office girl back?

10 A. Yes.

11 Q. Okay.

12 A. Paid back in full amount?

13 Q. Paid back in full. But at the end of all this Mr. Kim still -- personally he --  
14 Mr. Kim owes you the money back for what you covered for him, what you paid for him?

15 A. Yes. \$24,000.

16 Q. Okay. \$24,000 and then \$2000 in interest?

17 A. I'm thinking it is.

18 Q. Okay. Are you paid back that now?

19 A. No.

20 Q. Mr. Kim still owes you that money?

21 A. Yes.

22 Q. Okay. I'm going to show you this document I marked as Exhibit D; you  
23 recognize that document?

1 A. Yes.

2 Q. What is that document?

3 A. This is to return -- or this is a replacement of the money that Mr. Kim  
4 owes me.

5 Q. So he doesn't owe you anymore?

6 A. Yes.

7 Q. Be clear. The 26,000, that's 24,000 for the Daora Poker plus 2000 in  
8 interest.

9 A. Interest.

10 Q. Okay. 26,000, finished now?

11 A. (in English) Yes.

12 Q. Mr. Kim doesn't owe you anymore?

13 A. From Miss Park, but that also has been replaced with the laundrymat.

14 Q. Okay. Let's not talk about the laundrymat, I just want to talk about the  
15 26,000 first. So you're saying that this -- what -- first let's say what is this bill of sale;  
16 what happened in here?

17 A. There's total of \$126,000 that I need to receive from the couple.

18 Q. From the couple. Okay. I understand but let me read it and -- and -- and  
19 ask you questions about it. First of all, what date was this bill of sale made?

20 A. January 1st year 2006.

21 Q. Okay. Who made this document?

22 A. I prepared this document.

23 Q. At the bottom you see it has—

1 A. I made this document.

2 Q. Okay. You see at the bottom there it has your name? Is that your  
3 signature?

4 A. Yes.

5 Q. Next to it says January 1 06 – 01/01/06?

6 A. (in English) Yes.

7 Q. Is that the day you signed the document?

8 A. Yes.

9 Q. And it says manager -- you wrote manager in there, right?

10 A. (in English) Yeah.

11 Q. Underneath that it says KSK Corp.?

12 A. Yes.

13 Q. Is that the KSK Corp we were talking about earlier?

14 A. (in English) Yes. Yes, yes, yes.

15 Q. That's your –

16 A. (in English) Yes.

17 Q. Yes. So that's your wife's corporation, right?

18 A. (in English) Yeah, me same same.

19 Q. Your wife's corporation and you are same same?

20 A. (in English) Yeah, is.

21 Q. All right. And this is for \$26,000, it says US\$26,000, right?

22 A. (in English) Yeah.

23 Q. It says that KSK paid Jung Jin Corporation \$26,000, right?

1 A. Yes, but this is actually a replacement of a promissory note that they wrote  
2 me for \$26,000.

3 Q. Oh okay. Let's -- let's talk about that. Where's the -- did you give me a  
4 copy of a promissory note for \$26,000?

5 A. This is -- this is the promissory note.

6 Q. Now, you're showing me Exhibit B and Exhibit C.

7 A. Yes.

8 Q. So when you say that's in exchange for the promissory note you're talking  
9 about the 24,000 that's reflected in Exhibits B and C?

10 A. Yes.

11 Q. Okay. Are there any other promissory notes about this \$26,000?

12 A. (in English) No.

13 Q. No. It appears to me, and tell me if this is right, that you -- you got 13  
14 poker machines from Jung Jin Corporation in exchange for this \$26,000 debt of Mr.  
15 Kim's; is that right?

16 A. That's right.

17 Q. And Miss Park Hwa Sun is the one that -- is she the one that signed this  
18 bill of sale, Exhibit D?

19 A. Yes.

20 Q. And that says Jung Jin Corporation, right?

21 A. (in English) Yes.

22 Q. Okay. So in exchange for 13 poker machines Mr. Kim, his debt for the  
23 Daora Poker license -- the Daora Poker tax that he owed you, finished; is that right?

1 A. Yes.

2 Q. Okay.

3 A. Out of \$126,000, 26,000 has been waived.

4 Q. And that 26 is the -- from the -- the Daora Poker?

5 A. Yes.

6 Q. Okay. Is there anything else I need to know about this bill of sale?

7 A. No.

8 Q. Where are these 13 poker machines?

9 A. I'm operating them.

10 Q. Where are you operating?

11 A. Chalan Kanoa.

12 Q. All 13 in one place?

13 A. (in English) Yes, yes.

14 Q. What's the name of the poker place?

15 A. (in English) Shany Two Poker.

16 Q. Okay. Shany Two Poker, is that inside the laundrymat?

17 A. Yes.

18 Q. Is that the one that used to be called Welcome Poker?

19 A. (in English) Yes.

20 Q. But you changed the name from welcome poker to Shany Two Poker.

21 A. (in English) Shany Two, yeah, license -- all license change.

22 Q. All license changed?

23 A. (in English) Yeah, machine license change, KSK Corporation.

1 Q. KSK Corporation --

2 A. (in English) Yeah.

3 Q. -- now has the license?

4 A. (in English) Yes, all change.

5 Q. When did you change the license for the poker machines?

6 A. In January.

7 Q. Did -- did Mrs. Park have to sign anything for you to change -- beside this  
8 document here, did Mrs. Park have to sign anything for you to change the license?

9 A. No. It all ends from here.

10 Q. Okay. With regard to these 13 poker machines, has Mrs. Park signed any  
11 other documents about these poker machines?

12 A. No.

13 Q. Did Mr. Kim ever sign anything about any of these poker machines?

14 A. No because it belonged to Jung Jin Corporation.

15 Q. So as far as you know all of these poker machines belong to Jung Jin  
16 Corporation?

17 A. (in English) Couple.

18 Q. I don't -- explain that to me, they're a couple. Who is a couple?

19 A. Park Hwa Sun and Kim Hang Kwon are a couple.

20 Q. So anything that they owe they owe together?

21 A. (in English) I don't know.

22 Q. Well, you said they're a couple, what does that mean? Explain that to me.

23 A. They're family. Couples are family and in Korea you generally tend to

1 think when you're a couple everything belongs together.

2 Q. Okay. So Mr. -- Mr. Kim never signed any documents about any of these  
3 13 poker machines transferring it to KSK Corp.?

4 A. No it all ends after --

5 A. (in English) Finish.

6 A. -- this says it all.

7 Q. Okay. Okay. Now, I'm going to put that over there. I want to talk about  
8 \$100,000 on Mrs. Park, what is that all about? You tell me what that's all about.

9 A. I got this money from Korean munching (phonetic).

10 Q. I know the munching, it's a community bank, right?

11 A. Yes. And Mrs. Park somehow knew about that I was receiving -- that it  
12 was my turn to receive the amount. And she came to me and asked me to loan her  
13 money.

14 Q. Okay. When was that?

15 A. December 1st year 2004 to Mrs. Park.

16 Q. Do you know why she borrowed the money?

17 A. She's borrowed from somebody and she needed to pay back the money.

18 Q. Do you know who she borrowed from?

19 A. She didn't tell me that.

20 A. (in English) I don't know.

21 Q. Do you know why she borrowed the money from that person?

22 A. No, I don't, but she said she urgently needed the money.

23 Q. And so you didn't have any problems giving her \$60,000 cash?